



Bureau of Justice Assistance

DENIAL OF FEDERAL BENEFITS PROGRAM

The Denial of Federal Benefits for Drug Offenders Program provides state and federal courts with the ability to deny all or selected federal benefits to individuals convicted of drug trafficking or drug possession, providing an additional tool to punish low-level drug offenders instead of incarceration. The program allows the court, at its discretion, to exempt convicted individuals from assistance such as public housing, welfare, and drug treatment; from earned benefits such as retirement and Social Security and health, disability, and veterans assistance; and from student financial aid; small business loans; media and transportation licenses; medical, engineering, scientific, and academic research grants; and contracts and purchase orders issued by federal agencies or those who use federally appropriated monies. The court may also restore denied benefits for those who successfully complete drug rehabilitation programs or for other reasons.

Denial of federal benefits is a sentence pronounced by a federal or state judge as a result of conviction for trafficking in or possession of drugs. This sanction can be imposed in combination with other sanctions, and courts have the option of denying all or some benefits and determining the length of the denial period according to the nature of the crime. When denial of benefits is part of a sentence, the sentencing court notifies the BJA Denial of Federal Benefits Program Clearinghouse, which in turn informs the U.S. General Services Administration (GSA).

GSA publishes the names of individuals who are denied benefits in the *Lists of Parties Excluded From Federal Procurement or Nonprocurement Programs* (<https://www.epls.gov/>), commonly known as the Debarment List. The Debarment List contains special codes that indicate whether all or selected benefits have been denied for an individual and the expiration date for the period of denial. Before making an award or conferring a benefit, federal agencies are required to consult the Debarment List to determine if the individual is eligible for benefits.

Routine exchanges of data files with the U.S. Department of Education, the Federal Communications Commission, and other providers of federal benefits help to ensure that sanctioned drug offenders are excluded from receiving benefits, many of which are directly supported by tax dollars. Outreach to federal and state courts and prosecutors has increased in an effort to reeducate the judiciary about these sanctions and their usefulness as alternatives to more traditional and often more expensive forms of punishment.

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